

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Delaware

PHOENIX PAYMENT SYSTEMS, INC.
d/b/a ELECTRONIC PAYMENT EXCHANGE,

Plaintiff,
V.

SUMMONS IN A CIVIL CASE

LEXCEL, INC. and LEXCEL
SOLUTIONS, INC.

Defendants.

CASE NUMBER:

- 0 7 - 5 3 7 -

TO: (Name and address of Defendant)

Lexcel, Inc.
c/o Secretary of State
401 Federal Street, Suite 4
Dover, DE 19901

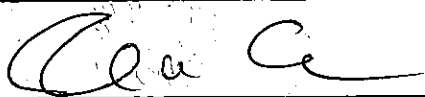
YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Julia Heaney, Esquire
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK



(By) DEPUTY CLERK

DATE

9/7/07

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>9/10/07</u>
NAME OF SERVER (PRINT) <u>DANIEL F. DELCOLLO</u>	TITLE Messenger

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): Service of the Summons and Complaint was made upon defendant
Lexcel, Inc. by hand delivering copies thereof to defendant's
registered agent, Secretary of State, 401 Federal Street, Suite 4,
Dover, DE 19901.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

9/10/07
Date

Signature of Server

Daniel F. Delcollo
Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street
Wilmington, DE 19801

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.